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\* Application for Admission Pro Hac Vice pending

Attorneys for Proposed Intervenor

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
EUGENE DIVISION

**DEANNA L. GEIGER, JANINE M.  
NELSON, ROBERT DUEHMIG and  
WILLIAM GRIESAR,**

*Plaintiffs,*

v.

**JOHN KITZHABER**, in his official capacity  
as Governor of Oregon; **ELLEN  
ROSENBLUM**, in her official capacity as  
Attorney General of Oregon; **JENNIFER  
WOODWARD**, in her official capacity as  
State Registrar, Center for Health Statistics,  
Oregon Health Authority; and **RANDY  
WALDRUFF**, in his official capacity as  
Multnomah County Assessor,

*Defendants,*

Case No.: 6:13-cv-01834-MC (Lead Case)  
Case No.: 6:13-cv-02256-MC (Trailing Case)

INTERVENOR'S MOTION TO POSTPONE  
SUMMARY JUDGMENT HEARING AND  
EXTEND TIME FOR SUBMITTING RULE  
56 MEMORANDA

EXPEDITED HEARING REQUESTED

and

**NATIONAL ORGANIZATION FOR MARRIAGE, INC.**, on behalf of their Oregon members,

*Proposed Intervenor.*

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**PAUL RUMMELL and BENJAMIN WEST; LISA CHICKADONZ and CHRISTINE TANNER; BASIC RIGHTS EDUCATION FUND,**

*Plaintiffs,*

v.

**JOHN KITZHABER**, in his official capacity as Governor of Oregon; **ELLEN ROSENBLUM**, in her official capacity as Attorney General of Oregon; **JENNIFER WOODWARD**, in her official capacity as State Registrar, Center for Health Statistics, Oregon Health Authority; and **RANDY WALDRUFF**, in his official capacity as Multnomah County Assessor,

*Defendants,*

and

**NATIONAL ORGANIZATION FOR MARRIAGE, INC.**, on behalf of their Oregon members,

*Proposed Intervenor.*

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#### **RULE 7-1 CERTIFICATION**

In compliance with LR 7-1, counsel for Proposed Intervenor conferred in good faith, via telephonic conferences and follow-up e-mails, on Monday, April 21, 2014, with Lea Ann Easton and Lake Perriguet, counsel for plaintiffs Deanna L. Geiger, Janine M. Nelson, Robert Duehmig, and William Griesar (Case No. 6:13-cv-01834-MC); Jennifer Middleton, counsel for plaintiffs Paul Rummell, Benjamin West, Lisa Chickadonz, Christine Tanner, and Basic Rights Education Fund (Case No. 6:13-cv-02256-MC); Sheila Potter, counsel for defendants John

Kitzhaber, Ellen Rosenblum, and Jennifer Woodward (both cases); and Kate von Ter Stegge, counsel for defendant Randy Waldruff (both cases). No party in the consolidated cases consented to Proposed Intervenor's request to continue the hearing on Plaintiffs' Motions for Summary Judgment.

### **MOTION**

NOW COMES Proposed Intervenor National Organization for Marriage, Inc. ("NOM"), by and through her attorneys, and moves the court pursuant to LR 16-3 for an order amending the Court's January 22, 2014 pretrial and discovery order ("Court's January 22, 2014 Order") and LR 7-1(f) extending time limits for Rule 56 motions as follows: Intervenor's Response to Plaintiffs' respective motions for summary judgment to be filed by May 12, 2014 (21 days following filing of NOM's motion to intervene); Plaintiffs' Reply Briefs, if any, to be filed 14 days thereafter, by May 26, 2014; Oral Argument set for Wednesday, June 4, 2014.

NOM moved to intervene on April 21, 2014, in order to safeguard significant protectable interests of its Oregon members in the subject matter of these lawsuits, to prevent a collusive suit on an immensely important public policy issue, and to ensure the possibility of appellate review of this Court's ultimate decision. It plans on submitting a preliminary opposition to the motions for summary judgment before the end of the day on April 22, 2014. A continuance would allow NOM an opportunity to prepare a final and more comprehensive brief in opposition and also allow Plaintiffs an opportunity to file Reply briefs addressing the substantive legal issues that NOM will raise in its brief in opposition.

This motion is based on the above stated authority as well as the previously filed Motion to Intervene and accompanying Memorandum of Points and Authorities and Declaration.

Dated this 22nd of April, 2014.

s/ Roger K. Harris

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